IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SEVENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

WRIT PETITION NOs : 7115, 10056, 19433,19436, 19437, 19438 and 19439 of 1994

W.P. NO. 7115 OF 1994

Between:

1.Hotel Asrani (P) Ltd., 1-7-179, M.G. Road, Secunderabad rep. by Sri

Atmaram K. Asrani, S/o late Kishandas
2.Shri Shakti Resorts & Hotels Ltd., rep. by Sri D.V. Manohar, S/o D. Appa

Rao Begumpet, Hyderabad
3.Hotel Quality Inn Green Part rep. by Sri A. Muralikrishna Reddy, S/o A. Sankara

Reddy, Begumpet, Hyderabad
4.Blue Moon Hotel, Begumpet rep. by Sri G. Elhur
5.Hotel Dwaraka, Hyderabad-4, rep. by Sri B. Suresh Rao
6.Hotel The Central Court, Hyderabad-4, rep. by Sri R. Tajanaath
7.Hotel Ashoka, Hyderabad, rep. by Sri M. Sudhakar Reddy
8.Hyderabad Inn Hotels Pvt. Ltd., Hyderabad-500463 rep. by Sri G.M. Juganani
9.Hotel Rajamata (P) Ltd., rep. by Sri P.A. Bolaki,Nampally, Hyderabad
10.Hotel Suprabhat rep. by Sri C.R. Bahadur Kachiguda, Hyderabad
11.Hotel Dolphin, Visakhapatnam rep. by Sri Appa Rao
12.Hotel Mayura, Tirupathi rep. by Sri Jayaram Chowdary
13.Hotel ITC Welcome Group, Hyderabad rep. by Sri Said Mahamood
14.Hotel Ashoka, Warangal rep. by Sri Jitendra Reddy
15.Park Hotel, Visakhapatnam rep. by Sri Deepak Puri
16.Hotel Taj Residency, Visakhapatnam rep. by Sri B.R.Rao
17.Hotel Guestline Days rep. by Sri Vijay Kumar Gupta Tirupathi-517507
18.Sreenidhi Hotel, Secunderabad rep. by Sri Martin Michael

19.Hotel Viceroy rep. by Sri A.M. Anand Kumar Tank Bund Road, Secunderabad
20.Ritz Hotel rep. by Sri Sailesh Kumar Mathur Hillfort Palace, Hyderabad
21.Hotel Rajdhani rep. by Sri Sanjay Kumar Jain Siddiamber Bazar, Hyderabad
22.Hotel President rep. by Sri Mohammed Younus M.J. Market, Hyderabad
23.Hotel Haridwar rep. by Sri Govind Das Koti, Hyderabad
24.Hotel Baseraa rep. by Sri Ravi Ohri S.D. Road, Secunderabad
25.Holiday Inn Krishna rep. by Sri Tevu Chaterjee, Banjara Hills Hyderabad
26.Hotel Emerald rep. by Sanjay Kumar Gupta, Abids, Hyderabad
27.Hotel Minerva rep. by Sri Prabhakar Reddy, Himayat Nagar, Hyderabad
28.Hotel Siddhartha, Hyderabad rep. by Sri Siva Kumar Reddy
29.Hotel Regal rep. by Sri H. Bharwani M.G. Road, Secunderabad
30.Hotel Dasapalla, Visakhapatnam rep. by Sri Raghavendra Rao
31.Hotel Satya Sai Tower, Prashanti Nilayam, rep. by Sri Muthu Ramesh
32.Hotel Krishna Residency rep. by Sri K.V. Gopal Rao, Rajagopalachari Street,

Vijayawada
33.Hotel Nagarjuna rep. by Sri Ganapathi, Basheerbagh, Hyderabad
34.Hotel Panch Ratan rep. by Sri Bhimaraj Kachiguda, Hyderabad
35.Govt. General Hospital Diet Canteen, Guntur rep. by Sri Madala Venkata

Narayana
36. Hotel Arya Bhavan Deluxe, Guntur rep. by Sri N. Harnath, Propritor
37. Hotel Vijaya Krishna International rep. by Sri Pada Kameswar Rao
Collectorate Road, Guntur
38.Sai Enterprises (Hansa Restaurant) rep. by Sri Pada Kameswar Rao
Collectorate Road, Guntur
39. High Spirits & Restaurant, in the premises of Hotel Vijayakrishna

rep. by Sri Ch. Ramesh Babu, Partner Collectorate Road, Guntur
40.Himani Cream Corner rep. by D. Vidya Rani, Partner, Main Road, Guntur-3
41.Himani Ghee Sweets rep. by Sri Madan Donepudi, Proprietor
Main Road, Guntur-3
42.Neelima Bar & Restaurant rep. by Sri Nalluri Chandrasekhar, Mng Partner
4/1, Arundalpet, Guntur
43.M/s. Kalyani Garden Bar & REstaurant rep. by Sri Ram babu, Proprietor
3/1, Bradipet, Guntur
44.Arya Bhavan Hotel rep. by N. Lalitha, Proprietor, Near Fish Market, Guntur
45.Hotel Manjari rep. by Sri Smt. Navaneetham, Propritor
Station Road, Guntur
46. Hotel Ramakrishna rep. by Sri Bandla Venkata Subba Rao, Proprietor
Ponnuru, Guntur Dist.
47.Udipi Sri Krishna Cafe rep. by Sri A. Sundara Rao, Proprietor
Chilakaluripet, Guntur Dist.
48. Hotel Shanthi Nivas rep. by Sri K.M. Rahakrishnan, Proprietor
Narasaraopet Centre, Chilakaluripet, Guntur Dist.
49.Hotel Madhuri rep. by Sri p. Sambasiva Rao Proprietor
Station Road, Narasaraopet, Guntur Dist.
50.Sri Murthy Cafe rep. by Sri K. Venkateswarlu, Proprietor
Sateenapally Road, Narasaraopet, Guntur Dist.
51. Hotel Alankar (Milirary Meals Hotel) rep. by Sri k. Venkata Narsa Reddy,

Proprietor,Palnad Road, Narasaraopet, Guntur Dist.
52.Hotel Gowri Shankar rep. by Sri Nallapati Venkatartnam, Proprietor
Sateenapally Road, Narasaraopet, Guntur Dist.
53.Hotel Mayuri rep. by Sri A. Kumar, Proprietor, Palnad Road, Narasaraopet,

Guntur Dist.
54.Hotel Srinivas rep. by Sri R. Nagaiah, Proprietor
Main Road, Narasaraopet, Guntur Dist.
55.Tirumala Cafe rep. by Sri P. Srinivasa Rao Proprietor
Vinukonda Road, Narasaraopet, Guntur Dist.
56. HotelSri Venkata Ramana (Meals Hotel) rep. by Sri A. Rammurthy,

Proprietor, Vinukonda Road, Narasaraopet, Guntur Dist.
57 Shankar Vilas rep. by Sri T. Siva Reddy, Proprietor
Narasaraopet, Guntur Dist.
58 New Vasantha Vihar rep. by Sri K. Ramachandra Rao, Proprietor
Station Road, Narasaraopet, Guntur Dist.
59 Sri Srinivasa Canteen (R.T.C.Canteen) rep. by Sri P. sateesh Kumar,

Proprietor, Vinukonda Road, Narasaraopet, Guntur Dist.
60 Sri Lakshmi Vilas rep. by Sri P. Malakondaiah, Proprietor
Main Road, Macherla, Guntur Dist.
61 Srinivasa Bhavan rep. by Sri P. Malakondaiah, Proprietor
Main Road, Opp: RTC Bus Stand, Macherla, Guntur Dist.
62 Sri Ramana Vilas rep. by Sri P. Ramanaiah, Proprietor
Park Centre, Macherla, Guntur Dist.
63 Durga Bhavan rep. by Sri Nadendla Akkaiah, Proprietor Macherla, Guntur

District,
64 Ajantha Hotel rep. by Sri V. Thirupataiah, Proprietor Park Centre,
Macherla,

Guntur Dist.
65 Hotel Swagath, Non-Vegetarian rep. by Sri Vundala Rami Reddy,
Proprietor
Macherla, Guntur Dist.
66 Noor Restaurant rep. by Sri Shaik Nabi Saheb,, Proprietor
Opp: RTC Bus Stand, Palnad Road, Vinukonda, Guntur Dist.
67 Udupi Srinivas Bhavan rep. by Sri E. Tirupataiah
Narasaraopet Road, Vinukonda, Guntur Dist.
68 Lakshmi Venkareswara Bhavan rep. by Sri K. Subba Rao, Proprietor
Palnad Road, Vinukonda, Guntur Dist.
69 Sankar Vilas rep. by Sri K. Venkateswara Rao, Proprietor
Palnad Road, Vinukonda, Guntur Dist.
70 Hotel Mahatma (Military Hotel) rep. by Sri G. Kondaiah, Proprietor
Narasaraopet Road, Vinukonda, Guntur Dist.
71 Sai Baba Hotel rep. by Sri Shaik Akbarvali & Btothers, Proprietor
Near: RTC Bus Stand, Vinukonda, Guntur Dist.
72 Sri Srinivasa Vilas rep. by Sri G. Narsimha Rao, Proprietor
RTC Bus Stand, Palnad Road, Vinukonda, Guntur Dist.

73 Anjaneya Vilas rep. by Sri Emmadisetti Suri Babu, Proprietor
Narasaraopet Road, Vinukonda, Guntur Dist.

74 Mahalxmi Vilas rep. by Sri Yakkala Srinivasa Rao, Proprietor
Narasaraopet Road, Vinukonda, Guntur Dist.
75 Hotel Jyothi rep. by Sri N. Gopalan, Proprietor
Opp: Govt. Hospital Road, Vinukonda, Guntur Dist.
76 Nagarjuna Vilas (Military Group) rep. by Sri Chaganti Nageswara Rao,

Proprietor, Palnad Road, Vinukonda, Guntur Dist.
77 Hotel Prakash rep. by Sri Pavuluri Prakasha Rao, Proprietor
Narasaraopet Road, Vinukonda, Guntur Dist.
78 Sri Lakshmi Srinivas Bhavan rep. by Sri K. Anka Rao, Proprietor
Narasaraopet Road, Vinukonda, Guntur Dist.
79 Hotel New Mahatma (Military Hotel) rep. by Sri Bhogala Narsareddy,

Proprietor, Narasaraopet Road, Vinukonda, Guntur Dist.
80 S. Venkata Ramaiah rep. by Hotel Priya Gandhi Chowk, Tenali-522201
81 Hotel New Gourishankar A/c rep. by Ch. Ramesh Babu Opp: Venus Talkies,

Tenali,
82 Hotel Suresh rep. by Sri J. Nagasubrahmanyam Anjaneyapanthula Street,

Tenali,
83 Hotel Ramesh rep. by Sri Ch. Suresh Babu, Prop. Main Road, Tenali
84 Hotel Suresh Sweets Shop rep. by Sri Ch. Surya Rao, Gandhi Chowk, Tenali
85 Sri Lakshminath Vilas rep. by Sri Ch. Nageswara Rao Main Road, Tenali
86 Sri Manikantha Bhavan rep. by Sri K. Pitchaiah Sastry Morispet, Tenali
87. Hotel Mamatha rep. by Sri Surapaneni Krishna Rao Main Road, Tenali
88. Swatantra Vihar rep. by Sri A. Sivanarayana Morispet, Tenali
89. Hotel New Bilar rep. by Sri Md. Gousebabb Wahed Road, Tenali
90. Hotel Samrat A/c rep. by Sri T.V. Subba Raju, Partner Tenali

..... PETITIONERS

AND

1 The Government of A.P. rep. by Secretary
Women, Dev., Child Welfare & Labour (Lab.II) Dept., Secreatariat, Hyderabad
2 The Commissioner of Labour, Govt. of A.P., Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ particularly one in the nature of Writ of Mandamus restraining the respondents from giving effect to G.O.Ms.No.89 dated:25-5-1991, and pass such further or other orders as this Hon'ble Court

may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.K.SRINIVASAMURTHY

For the Respondents: GP FOR WOMEN DEV. & CHILD WELFARE

WRIT PETITION NO : 10056 of 1994

Between:

1. Sudershan 35 MM Theatre Hyderabad, rep. by its Managing Partner, Dr. T. Nanda Gopal.
2. Devi 70 MM Theatre Hyderabad, rep. by its Proprietrix Smt. T. Devika Devi

..... PETITIONERS

AND

1 The Government of Andhra Pradesh rep. by its Secretary, Women Development, Child Welfare and Labour (Lab.II) Department, Secretaryat, Hyderabad.
2 The Commissioner of Labour Government of Andhra Pradesh, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a writ particularly one in the nature of WRIT OF MANDAMUS restraining the respondents from giving effect to G.O.Ms.NO. 31 dated: 6.3.1991 and pass such further or other orders.

Counsel for the Petitioners: MR.K.SRINIVASAMURTHY

Counsel for the Respondents: GP FOR SOCIAL WELFARE

WRIT PETITION NO : 19433 of 1994

Between:

The Management of Apex Agencies LTD

HYDERABD 3-5-822/A, Hyderguda, Hyderabad

..... PETITIONER

AND

1. The Authority Under Minimum Wage Act

Asst. Commissioner of Labour,T.Anjaiah

Samkshema Bhavan, Hyderabad

2. J.Nagi Reddy, (the then ALO) Circle No.12, Hyderabad.

(W.P. against R-2 is dismissed for default vide order dt.20.6.2004)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a writ particularly one in the nature of Writ of Mandamus restraining the respondents from enforcing the order passed in M.W.No.69 of 1992 dated 15.12.1993.

Counsel for the Petitioner: MR.P.A.V.BALAPRASAD

Counsel for the Respondent No.1: GP FOR SOCIAL WELFARE AND LABOUR

WRIT PETITION NO : 19436 of 2004

Between:

The Management of Apex AgenciesLtd.

3-5-822/A,Hyderguda, Hyderabad.

..... PETITIONER

AND

1. The Authority Under Minimum Wages Act

Asst. Commissioner of Labour, Hyderabad III

T,Anjaiah Samkshema Bhavan, Musheerabad,Hyd.

2. J.Nagi Reddy(the then ALO), Circle No.12, Hyderabad

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a Writ particularly one in the nature WRIT OF MANDAMUS restraining the respondents from enforcing the order passed in M.W.70/92 Dt.15.12.93.

For the Petitioner: MR.K.SRINIVASA,

For the Respondents: GP FOR SOCIAL WELFARE AND LABOUR

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WRIT PETITION NO : 19437 of 1994

Between:

The Mgt. of Dynavision Ltd. Hyderguda, 3-5-822/3, Hyderabad

..... PETITIONER

AND

1 The Authority of Minimum Wage Act Asst. Commissioner of Labour Hyderabad-III, T.Anjaiah Samkshema Bhavan, Musheerabad, Hyderabad
2 Sri J. Nagi Reddy,the then Asst. Labour Officer-12, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a writ particularly one in the nature of Writ of Mandamus restraining the respondents from enforcing the order passed in M.W.67/92,
dated:15-12-93.

Counsel for the Petitioner: MR.K.SRINIVASAMURTHY

Counsel for the Respondents: GP FOR LABOUR

WRIT PETITION NO : 19438 of 1994

Between:

The Manager, M/s. Velwyn Television Ltd.,
5-9-1038/B, King Kothi Road,
Hyderabad.

..... PETITIONER

AND

1. The Authority Under Minimum Wage Act, The Asst.Commissioner of Labour,Hyderabad.III,T.Anjaiah Samkshema Bhavan, Musheerabad, Hyderabad-20

2. The Asst. Labour Officer-12, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a Writ particularly one in the nature WRIT OF MANDAMUS restraining the respondents from enforcing the order passed in M.W.66/92 Dt.15.12.93.

Counsel for the Petitioner: MR.K.SRINIVASAMURTHY

For the Respondents: GP FOR LABOUR

WRIT PETITION NO : 19439 of 1994

Between:

The Management of Dynavision Ltd.

3-5-822/3,Hyderguda, Hyderabad.

..... PETITIONER

AND

1. The Authority Under Minimum Wages Act

Asst. Commissioner of Labour, Hyderabad III

T,Anjaiah Samkshema Bhavan, Musheerabad,Hyd.

2. Asst.Labour Officer, Circle No.12, Hyderabad

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or a Writ particularly one in the nature WRIT OF MANDAMUS restraining the respondents from enforcing the order passed in M.W.66/92 Dt.15.12.93.

For the Petitioner:MR.M.SREENIVASA MURTHY

For the Respondents: GP FOR SOCIAL WELFARE AND LABOUR

The Court made the following:

COMMON ORDER:

In these Writ Petitions a challenge was made to the notifications issued by the Government of Andhra Pradesh in respect of the Minimum Wages applicable to the various industries. However, the learned Government Pleader now submits that subsequent to the notifications, further revision has taken place in supersession of the notifications. They were not challenged by the managements. Under those circumstances, and in view of the issuance of the subsequent notification further revising the minimum wages, the Writ Petitions have become infructuous.

2. Accordingly, the Writ Petitions are dismissed as infructuous. No costs.

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G. BIKSHAPATHY,J

Dated:27-08-2004,

ccm

To:

1. The Secretary, the Government of A.P. Women, Dev., Child Welfare

& Labour (Lab.II) Dept., Secreatariat, Hyderabad
2 The Commissioner of Labour, Govt. of A.P., Hyderabad

3. The Assistant Commissioner of Labour, Authority under Minimum Wages

Act, Hyderabad-III, T.Anjaiah Samkshema Bhavan,Hyderabad.

4. The Assistant Labour Officer, Circle No.12, Hyderabad.

5. 2 CCs. To G.P. for Social Welfare and Labour, High Court Buildings, Hyderabd.(OUT)

6. 2 CCs to G.P. for GP FOR WOMEN DEV. & CHILD WELFARE, High Court Buildings, Hyderabad (OUT)

7. Two CD Copies.